

REMARKS

As a result of the Panel Decision from Pre-Appeal Brief Review, the Notice of which was mailed on November 7, 2007, the prosecution of this application was reopened, the previous rejection was withdrawn, and the most recent Office Action was mailed raising entirely new grounds of rejections based on newly cited and relied on references.

Claims 1 and 5 to 13 are pending in the application.

The disclosed and claimed invention solves a specific problem in a specific type of game controller. More particularly, the disclosed and claimed invention eliminates the possibility of damage to the printed circuit board due to the replacement of batteries and operation of push switches. As shown in Figure 1, the main board 1 is provided with a parts holder 2 having a central, table portion 4. Figures 2B and 2C show that the parts holder 2 is attached to the main board 1 by means of positioning pins 21 inserted into holes in the main board and engaging hooks 22, which engage square holes in the main board. Figures 2B and 2C also show that the table portion 4 is elevated above the surface of the main board. Battery terminal holder portions 24, 25 are surrounded by an integrally formed rib 23 formed on the left and right sides of the table portion 4. When the battery terminal board (not shown) is set to the battery terminal holder portions 24, 25, lower end portions of the battery terminal board are projected downward via holes 26 in the bottom plate, as shown in Figure 3B. Push switches 11 provided on the switch boards 10 are operated by push keys 3. The switch boards 10 are supported by board holder portions 9 which project vertically above the parts holder 2. These holder portions 9 are provided with ribs 29 on the back surface and ribs on the front surface.

Since the battery terminal board is held by the parts holder 2, the back-and-forth movement of the battery terminal board is suppressed by the rib 23 that surrounds the periphery of the battery terminal board. The ribs of the board holder portions 9 withstand the pressure applied by the push keys. In this way, the parts

holder 2 isolates the main board 1 from the bending and torsional stresses relating to battery replacement and operation of the push keys, thereby preventing cracking of printed-circuit patterns or damage to soldered portions of the battery contact board.

Claims 1 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,207,426 to Inoue et al. in view of U.S. Patent No. 5,268,542 to Voll. This rejection is traversed.

As will be recognized from the patent specification and drawings, the parts holding member recited in claim 1 receives a stress generated when the push switch which is mounted on the switch board which extends perpendicular to the main board is pushed. As acknowledged by the Examiner in the office action, Inoue does not disclose such a member. Rather, Inoue discloses the switch board 146 which extends perpendicular to the main board 16 is inserted to notches formed near left and right corners of the board 16 (see, column 5, lines 45-47). On the other hand, the Examiner asserts that Voll discloses the claimed parts holding member. This is in error.

Although Voll discloses the spacer 14 interposed between the circuits boards 8 and 15, there are no circuit boards which extend perpendicular to one another. Therefore, the structure and the function of the spacer 14 in Voll are completely different from the structure and function of the parts holding member in the present invention.

Claims 5 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over the patents to Inoue et al. and Voll in view of U.S. Patent No. 5,670,988 to Tickle. This rejection is respectfully traversed for the reason that the combination of the patents to Inoue, Voll and Tickle fails to teach or otherwise suggest the claimed invention. As to the rejection of claims 8, 9, 10, 11, 12, and 13, the Examiner has not provided a statement of the Statutory ground of rejection or the references relied upon for the rejection. For purposes of this response, it is assumed that these claims are rejected under 35 U.S.C. §103(a) as being unpatentable over the patents to Inoue, Voll and Tickle, as in the rejection of claims 5 and 7. The rejection of claims 8, 9, 10, 11, 12, and 13 is also respectfully traversed, again for the reason that the combination of the patents to Inoue, Voll and Tickle fails to teach or otherwise suggest the claimed

invention.

The patent to Inoue et al. discloses a game controller of an entirely different structure and configuration of the game controller claimed. The Examiner seems to recognize this when he states (page 2 of the Office Action) that “Inoue fails to disclose that the parts holding member is interposed between the switch board and the main board and adapted to receive a stress generated when the push switch is pushed” and when he states (page 3 of the Office Action) that “Inoue fails to disclose a battery for the game controller.” Although the Examiner makes reference to a “parts holding member” in his description of the Inoue et al. patent, he has failed to identify such a member in the Inoue et al. patent. It is noted that the Examiner makes an oblique reference to Figure 5 of the Inoue et al. patent, but he does not identify any structure in that cross-sectional view that he considers to be equivalent to the claimed “parts holding member”.

The bottom line is that the only thing that the Inoue et al. patent has in common with the specifically disclosed and claimed invention is that Inoue et al. disclose a game controller. But the Inoue et al. game controller is of entirely different construction and fails to provide the isolation of the stresses induced by operation of the push switches and replacement of batteries. It is the parts holding member, illustrated in Figures 2A to 2C and 3A and 3B which is the key to the disclosed and claimed invention, and there is simply no equivalent to the parts holding member in the Inoue et al. patent.

The Examiner relies on the patent to Voll for a teaching of “a parts holding member for a push button that contains a space portion (object 14 of Fig. 1) that separates the switch board from the main board.” What Voll discloses is a multi-step switch including a resiliently mounted push button 3. In a first stage of the pressed-in state, the push button presses a contact surface 5a against a partially resiliently constructed printed circuit board 8 which, on the upper side thereof, is provided with conductors. In a second stage of the pressed-in state of the switch, the push button and, in turn, the printed circuit board press with the aid of the resilient push element

21 against additional conductors arranged on a circuit board 15 underneath the printed circuit board 8. The spacer element 14 separates the circuit boards 8 and 15.

As noted above, the structure disclosed by Voll has no equivalency with the claimed “parts holding member”. There is no isolation of the stresses applied to a push switch and a main circuit board. On the contrary, there is a direct mechanical interaction between Voll’s push button 3 and the lower circuit board 15 via the resilient circuit board 8 and the resilient push member 21. Further, the claimed invention requires that the switch board extend perpendicular to the main board, and this is not shown in any reference of record.

The Examiner cites the patent to Tickle for a teaching of a “controller [which] comprises a battery terminal holding member, holding a battery terminal and integrally and monolithically formed with the parts holding member (Abstract; Fig.3)”. What Tickle discloses is a battery powered infrared transmitting device for controlling the operation of a computer. There is no “parts holding member” mounted on a main board. Moreover, the Tickle device and the Voll device have no similarity in structure or function to the Inoue et al. game controller, and there is no reasonable combination of these three, unrelated references that would conceivably result in Applicant’s specifically claimed invention.

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1 and 5 to 13 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



Michael E. Whitham
Reg. No. 32,635

Whitham, Curtis, Christofferson & Cook, P.C.
11491 Sunset Hills Road, Suite 340
Reston, VA 20190

Tel. (703) 787-9400
Fax. (703) 787-7557

Customer No.: 30743